



PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN(BGE/MARLEY CREEK/UTILITY
LINE)03-61062-21 AND (BGE/FURNACE
CREEK/UTILITY LINE)03-61061-21

Comment Period: 31 MARCH 03 to 21 APRIL 03

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: *Baltimore Gas & Electric Co*
Attn: George B. Niles
Room 200
1068 N. Front Street
Baltimore, MD 21202

LOCATION: 1 Marley Creek, Anne Arundel County, Maryland
2 Furnace Creek, Anne Arundel County, Maryland

WORK: 1. 200361062 - To modify the minimum vertical clearance of the existing aerial electric power transmission line crossing permit, dated November 5, 1964, #NABOP-P(Baltimore Gas and Electric Company)92, from the previously authorized 57.7 foot minimum to a new 50 foot minimum clearance above mean low water. The lower clearance is an existing condition that has occurred over time as a result of the increased loading on the capacity of the crossing's circuits. The project is located over Marley Creek, near Margate, Anne Arundel County, Maryland.

2. 200361061 - To modify the minimum vertical clearance of the existing aerial electric power transmission line crossing permit, dated May 9, 1974, #NABOP-P/3(Baltimore Gas and Electric Company)73-1355, from the previously authorized 56 foot minimum to a new 46 foot minimum clearance above mean low water. The lower clearance is an existing condition that has occurred over time as a result of the increased loading on the capacity of the crossing's circuits. The project is located over Furnace Creek, near Furnace Branch, Anne Arundel County Maryland.

The work will not adversely affect Essential Fish Habitat (EFH) and EFH consultation is not required.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Ms. Jennifer M. Keane at (410) 962-5675.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.